2120 - Served

2220 - Not Served

2620 - Sec. of State

2121 - Alias Served

2221 - Alias Not Served 2621 - Alias Sec. of State

Summons

(Rev. 12/31/15) CCM N649 A

IN THE CIRCUIT COU FIRST MUNIC		COUNTY, ILLINOIS CT, CIVIL DIVISION	
Name All Parties	JIPAL DISTRI	Ci, Civil Division  Case No. 17 M1 113	
New 75th & Cottage Currency Exchange, Inc., an Illinois corp	oration		
vew 15th & Cottage Currency Exchange, me., an immoss corp	Plaintiff(s),		473.66+int., trbl dgms, atty fees & costs
<b>v.</b>			Return Date: September 18, 2017
United States Postal Service		Status Date:	
]	Defendant(s),	Trial Date:	
3145 Lexington Avenue S, Eagan MN 55121		Time:	Room:
Address o	of Defendants		
Please serve as follows: Certified Mail Sheriff Se	ervice X Alias	(Plaintiff check one)	1162
	SUMMONS		E S
To each Defendant:			27
YOU ARE SUMMONED and required:			
1. To file your written appeaance by yourself or you	ur attorney and p	pay the required fee in:	A
X District 1: Richard J. Daley Center; 50 West Washington	, Room 602; Chic	ago, IL 60602	= -
District 2: 5600 Old Orchard Rd., Rm. 136; Skokie, IL 6	50077 Distri	ict 5: 10220 S. 76th Ave., Rr	m. 121; Bridgevi IL 60455
District 4: 1500 Maybrook Dr., Rm. 236; Maywood, IL	60153		
on September 18, 2017		, between the hours	of 8:30 a.m. and 2:30 p.m.;
District 3: 2121 Euclid, Rm. 121; Rolling Meadows, IL 6	50008 Distri	ict 6: 1650 S. Kedzie Pkwy.,	Rm. 119; Markham, IL 60428
on			, before 9:00 a.m.
2. File your answer to the complaint before 9:00 a.	m. as required b	y the applicable subsection	ns of Paragraph 3 or 4 in the
NOTICE TO THE DEFENDANT on the reve	erse side.		
IF YOU FAIL TO DO SO, A JUDGMENT BY DEFA	ULT MAY BE T	AKEN AGAINST YOU F	OR THE RELIEF ASKED
IN THE COMPLAINT, A COPY OF WHICH IS HE	RETO ATTACH	IED.	
To the officer:			
This summons must be returned by the officer of	_		
ment of service and fees, if any, immediately after se		W 100 11 <del>0</del>	pefore the day for appear-
ance. If service cannot be made, this summons shal			
This summons may not be served later than three		, ,,	ce.
THERE WILL BE A FI			
<b>≺I</b> Atty. No.: <u>38341</u>	Witness:	Witness:AUG 1 1 2017	
Name: <u>Sorman &amp; Frankel, Ltd.</u>		<b>2</b> 2 2 2 2 2 2 2 2 2 2 2 2 2 2 2 2 2 2	
Atty. for: Plaintiff		DOROTHY BROWN,	Clerk of Court
Address: 180 N. LaSalle Street, Suite 2700			
City/State/Zip Code: <u>Chicago IL 60601</u>	Date of S	ervice:	
Telephone: <u>312-332-3535</u>	(To be inse	rted by officer on copy left w	rith Defendant or other person)
Primary Email: pleadings@sormanfrankel.com	**Service	**Service by Facsimile Transmission will be accepted at:	
Secondary Email: dfrankel@sormanfrankel.com		o, raconinic manoninosi	on will be accepted at.
Tertiary Email: jbartkowiak@sormanfrankel.com	(Area Code)	(Facsimile Telephone Numbe	er)

Any person wishing to sue or defend a case as an indigent must petition the court to have the fees, costs, and charges associated with the proceedings waived.

Customers may visit <a href="https://www.cookcountyclerkofcourt.org">www.cookcountyclerkofcourt.org</a> to access the Clerk's filing fees or telephone the Civil Division at (312) 603-5116 with additional questions.

## **NOTICE TO PLAINTIFF**

You <u>MUST</u> select a return day of: not less than 14 or more than 40 days after issuance of summons if amount claimed is \$10,000 or less; not less than 21 or more than 40 days after issuance of summons if amount claimed is in excess of \$10,000.

### **NOTICE TO DEFENDANT**

1. If the complaint is notarized, your answer must be notarized.

## For District 1 Cases Only:

- 2. On the specified Return Day, one of the following may occur:
  - a. If you are sued for \$10,000 or less, you need not file an answer unless ordered to do so by the Court.
    - (i) If Plaintiff is not present, the case may be dismissed for want of prosecution.
    - (ii) If you have not filed an appearance, or you have filed an appearance and are not present, the Plaintiff may obtain an exparte default judgment against you for the amount claimed.
    - (iii) If you have filed an appearance and are present on Return Day, trial may be held that day, or may be set for another day certain.
  - b. If you are sued for more than \$10,000.00, and if you have filed your appearance on time, you must file your answer no later than 10 days after the appearance date (return date) specified on the front of this form. If you have not filed your appearance or answer on time, the Plaintiff may obtain an exparte default judgment against you for the amount claimed. If Plaintiff is not present for the Default call, the case may be dismissed for want of prosecution. If you filed your appearance and have not filed your answer on time the Plaintiff may motion the court to enter a judgment.
- 3. Late filing of an appearance or answer will not relieve you from a judgment or default order except by court order.

## For District 2, 3, 4, 5 and 6 Cases:

- 4. If you are sued for more than \$10,000, you have 10 days from the Return Day to answer or otherwise plea.
- 5. On the specified Return Day, if you are sued for \$10,000 or less, you need not file an answer unless ordered to do so by the Court.
- 6. On the specified Status/Trial Day, one of the following may occur:
  - a. If Plaintiff is not present, the case may be dismissed for want of prosecution.
  - b. If you have not filed an appearance, or you have filed an appearance and are not present, the Plaintiff may obtain an ex parte default judgment against you for the amount claimed.
  - c. If you have filed an appearance and are present on Status/Trial Day, trial may be held that day, or may be set for another day certain.

## The following is applicable to District 3 cases only:

- 7. This case may/may not be heard on the day for apperance specified in summons.
- 8. If the claim is for personal injury, or is a civil case in which Plaintiff has filed a jury demand, you will be required to file your appearance in person or by attorney Return Day, and your answer as required by Par. 2(b) above.

  These cases will be assigned and heard in the Civil Jury Room \_\_\_\_\_\_ unless otherwise ordered by the Presiding Judge.

  Neither Plaintiff nor Plaintiff's attorney will be required to be present on Return Day. The case will be set for Status at 9:00 a.m., approximately 60 days from the date of filing. Plaintiff and Defendant will be required to appear in court on that status day.
- 9. Trial Rights of Property, Detinues, and Revivals of Judgment, Pro Se, and Forcible Detainer suits are returnable in Room
  \_\_\_\_\_ and are disposed of on a Return Day unless otherwise ordered by the Court.

Case: 1:17-cv-06653 Document #: 1-1 Filed: 09/14/17 Page 3 of 15 PageID #:5

MATA OD SHERIFF MASTINGS MN ELECTRONICALLY FILED 5/3/2017 8:30 AM 2017-M1-113391 ROOM: 1108 PAGE 1 of 9 CIRCUIT COURT OF

IN THE CIRCUIT COURT OF COOK COUNTY, ILLINGOOK C

NEW 75TH & COTTAGE CURRENCY EXCHANGE, INC., an Illinois corporation,

Plaintiff,

VS.

UNITED STATES POSTAL SERVICE,

Defendant(s).

Case No.

Amount claimed: \$473.66, plus interest, treble damages, costs of suit, and attorneys' fees

Return Date: June 12, 2017

## VERIFIED COMPLAINT

Plaintiff, NEW 75TH & COTTAGE CURRENCY EXCHANGE, INC., an Illinois corporation ("Currency Exchange"), by its attorneys, Sorman & Frankel, Ltd., for its Verified Complaint (the "Complaint") against Defendant, UNITED STATES POSTAL SERVICE, ("Defendant"), states as follows:

- Currency Exchange is a duly registered Illinois corporation with its principal place of business located at 425 Huehl Road, Building 3, Northbrook, Cook County, Illinois.
   Currency Exchange is a currency exchange regulated by the Illinois Department of Financial and Professional Regulation and its principal business activities include, among other things, providing check-cashing services to members of the general public for a fee.
- Defendant has, upon information and belief, its principal place of business located at 433
   W. Harrison Street, Chicago, IL.
- Venue is proper in this Court pursuant to Section 5/2-101 of the Illinois Code of Civil Procedure, which provides that an action may be commenced "in the county in which the transaction or some part thereof occurred out of which the cause of action arose." 735
  ILCS 5/2-101 (West 2017). A portion of the parties' business dealings, as well as prior

and subsequent acts and activities alleged and complained of herein, took place in Cook County, Illinois.

- 4. On or about November 18, 2016, Defendant issued one cheek, in the amount of \$448.66, payable to Bianca J. Williams ("Payee") and drawn on Defendant's bank account (the "Check"), a copy of which is attached as Exhibit "A."
- 5. The Check is a negotiable instrument in that it is an unconditional promise to pay a definite amount of money, upon demand, payable to order, without any restriction on the face of the instrument.
- After the Check was issued, it was tendered to and negotiated by Currency Exchange in exchange for cash paid to Payee.
- 7. Within thirty (30) days thereafter, the Currency Exchange presented the Check for payment and the Check was dishonored by reason of "stop payment." The Currency Exchange was charged "return check" fees by its bank, totaling \$25.00, dishonored due to same.
- 8. Upon issuance of the Check and placing same in the stream took an affirmative action to ensure that the Check variables are presentment.
- 9. Pursuant to 810 ILCS 5/3-301, *et seq.* (West 2017). Currency course entitled to enforce the Check against Defendant.
- 10. Additionally, pursuant to 720 ILCS 5/17-1(E) (West 2017), Currency Exchange is entitled to a judgment against Defendant for an amount "in addition to the amount owing upon such check or order, damages of treble the amount so owing, but in no case less

than \$100 nor more than \$1,500, plus attorneys' fees and court costs". 720 ILCS 5/17-1(E) (West 2017).

- 11. Despite demand, Defendant has failed and refused to pay the balance due to Currency Exchange as identified in Currency Exchange's demand letter. (See Ex. "B").
- 12. Defendant has reimbursed Currency Exchange none of the \$473.66 due.
- 13. Currency Exchange has performed all conditions to be performed by it.
- 14. Currency Exchange has suffered damages as a direct and proximate result of the actions or inactions of Defendant.

WHEREFORE, Plaintiff, NEW 75TH & COTTAGE CURRENCY EXCHANGE, INC., an Illinois corporation, respectfully requests this Court to enter Judgment in its favor and against Defendant, UNITED STATES POSTAL SERVICE, as follows:

- A. Awarding Currency Exchange damages in the sum of \$473.66, less amounts previously paid to it by Defendant;
- B. Treble damages as to the Check, in the total sum of \$1.345.98, as provided by 720 ILCS 5/17-1(E);
- C. Interest as permitted pursuant to 810 ILCS 5/3-806;
- D. Attorneys' fees in the sum of at least \$350.00 as permitted pursuant to 720 ILCS 5/17-1(E) and 810 ILCS 5/3-806;
- E. All reasonable and necessary costs incurred in connection with these proceedings, as permitted pursuant to 720 ILCS 5/17-1 and 810 ILCS 5/3-806; and,

F. For a judgment against Defendant in the sum of \$2,169.64, plus costs, and for such other, further and different relief as this Court deems just and proper.

Respectfully submitted,

NEW 75TH & COTTAGE CURRENCY EXCHANGE, INC., an Illinois corporation, Plaintiff,

By: One of its Attorneys

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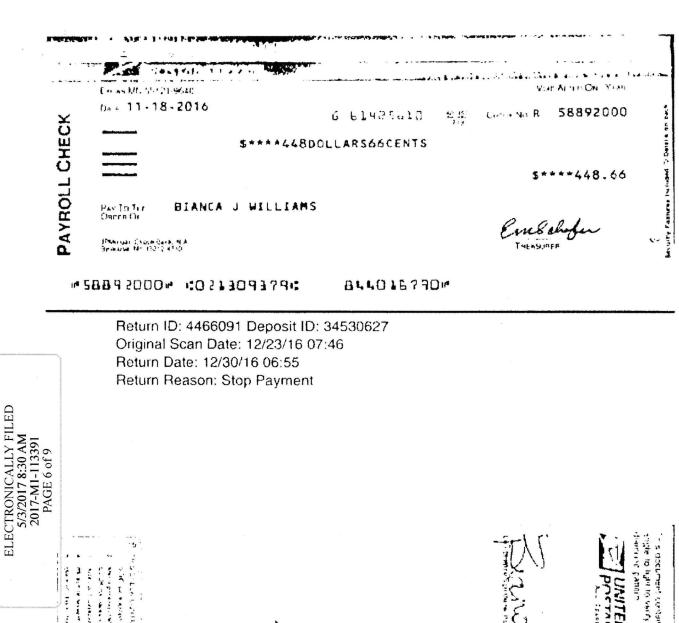
David J. Frankel, Esq.
Kathleen M. Haggerty, Esq.
Brian D. Nevel, Esq.
Sorman & Frankel, Ltd.
180 North LaSalle Street, Suite 2700
Chicago, Illinois 60601
(312)332-3535
(312)332-3545 (faesimile)
pleadings/a/sormanfrankel.com
Firm ID# 38341

# ELECTRONICALLY FILED 5/3/2017 8:30 AM 2017-M1-113391 PAGE 5 of 9

## Verification by Certification

Under penalties as provided by law pursuant to Section 1-109 of the Code of Civil Procedure, the undersigned certifies that they are a duly authorized representative of Plaintiff and that the statements set forth in this Verified Complaint are true and correct, except as to matters therein stated to be on information and belief and as to such matters the undersigned certifies as aforesaid that they verily believes the same to be true.

Richard Barr, as owner of Plaintiff



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## Bonnie J. Schoenberg **CFSC**

Attorney at Law 425 Huchl Road, Building 3 Northbrook, Illinois 60062

847-509-6620 Fax 847-509-6593 Email BSenoenberg a efse.com

January 10, 2017

Via Certified Mail - Return Receipt Requested and U.S. Mail United States Postal Service 5 S. Wabash Avenue, #206 Chicago, II. 60603

Attn: Finance Department Accounts Payable

Re:

Creditor:

New 75th & Cottage Currency Exchange, Inc.

Amount claimed:

\$448.66 + \$25.00 fee (\$473.66), Check No. 58892000

Date of issuance:

11/18/16

Payee: Bianca J. Williams

Dear Sir or Madam:

Please be advised that this firm has been retained by New 75th & Cottage Currency Exchange, Inc., to represent it in its claims against your company based upon your company's issuance of the check identified above. That check was cashed

check) and non-litigation collection expenses. Prior to the hearing, you may tender to the claimant an amount of money equal to the sum of the amount of the checks, the incurred court costs, service and attorneys' fees, and the claimant is required to accept that amount.

Unless you, the recipient of this notice, within thirty (30) days after receipt, dispute the validity of this debt or any portion thereof, the debt will be assumed to be valid. If you notify the undersigned, in writing within the thirty (30) day period that the debt, or any portion thereof is disputed, the undersigned will obtain verification of the debt or a copy of a judgment against you and a copy of such verification or judgment will be mailed to you. Upon written request, within the thirty (30) day period described above, the undersigned will provide you with the name and address of the original creditor, if different from the Currency Exchange. Absent hearing from you within thirty (30) days after the receipt of this notice, the debt set forth herein will be assumed to be valid by the Currency Exchange and its lawyers unless you dispute, in writing, the validity of same within the given time period. Nothing requires or obligates the Currency Exchange to wait thirty (30) days from the date of issuance of this letter to commence legal proceedings against you to collect the debt.

THIS COMMUNICATION IS AN ATTEMPT TO COLLECT A DEBT AND ANY INFORMATION OBTAINED WILL BE USED FOR THAT PURPOSE.

If you have any questions or wish to discuss this matter further, please contact Eric Page at (847) 509-6655.

Yours truly.

Bonnie J. Schoenberg, General Counsel

Print Label

Page 1 of 1

Hoomie Schoemang - Attorney at Law 4,75 Hugh-Road Building 3 NORTHBROOK II, 69062-2323 HS POSTAGE AND FEES PAID FIRST-CLASS Han 15 2017 Mailed from 24P 60062 177 Feet from 24M certo



07150077779

## USPS CERTIFIED MAIL



9414 8102 0083 0428 7957 60

United States Postal Service Alth Finance (Department - Advicusts Payable 5 S. Wabash Avenue CHICAGO (L-60603-3000)

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FOLD ALONG THIS LINE

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Page 1 of 1

## Certified Mail Electronic Delivery Confirmation™

## USPS CERTIFIED MAIL™

Bonnie Schoenberg - Altorney at Law 425 Huehl Road Building 3

NORTHBROOK IL 60062-2323

us postage and rees paid FIRST-CLASS Jan 11 2017 Mailed from ZIP 60067 Tax Feet Cass Mail offer

071500777793

USPS CERTIFIED MAIL



9414 8102 0083 0428 7957 60

United States Postal Service Attn Finance Department - Accounts Payable 5 S. Wabash Avenue CHICAGO IL 60603-3000

## իկորկարգա<u>ի</u>ցիրը» հերիկանկերու

Reference

75th & Cottage vs. U.S. Postal Serv., Bianca Williams

USPS#

Class

9414810200830428795760

**USPS Mail** 

Certified with Return Receipt (Signature)

Your item was delivered to an individual at the address at 11:05 am on January 31, 2017 in

USPS Status CH

CHICAGO, IL 60602.

Business Closed, January 23, 2017, 2:58 pm. CHICAGO, IL 60604 Business Closed, January 14, 2017, 10:59 am, CHICAGO, IL 60604 Out for Delivery, January 14, 2017, 10:04 am, CHICAGO, IL 60603 Sorting Complete, January 14, 2017, 9:23 am, CHICAGO, IL 60603

Arrived at Unit, January 14, 2017, 6:24 am, CHICAGO, IL 60604

USPS History

In Transit to Destination, January 13, 2017, 11:08 pm Departed USPS Destination Facility, January 12, 2017, 11:08 pm, CHICAGO, IL 60607

Arrived at USPS Destination Facility, January 12, 2017, 10:15 am, CHICAGO, IL 60607

Departed USPS Facility, January 12, 2017, 5:32 am, CAROL STREAM, IL 60199

Arrived at USPS Destination Facility, January 11, 2017, 9:14 pm, CAROL STREAM, IL 60199 Shipping Label Created, USPS Awaiting Item, January 10, 2017, 2:20 pm, NORTHBROOK, IL

60062

Electronic Delivery Confirmation Report © "2017" Certified Mail Envelopes, Inc. All rights reserved.

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Date Verified: 1/31/2017 11:14:23 PM (UTC)

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## HAND DELIVERED

## BY SHERIFF'S OFFICE

RECEIVIED BY: Duly tempor	DATE:	
	0018111000 1050	

Date Note Creator Name Type Status Source

20-DEC-2016 16:02:00 From: Sullivan, Bill J - Eagan, MN Sent: Tuesday, December 20, 2016 3:21 PM To: Nelson, Larry J - Eagan, MN Subject: RE: Former employee with Receivable and Outstanding Checks Larry, We will stop payment on check number 58892000 dated 11/18/16 for \$448.66 and change the alternate inscription to: apply to #702762863 Local office would request \$58.66 (Balance Due) of new check to be applied to Invoice #702762863. Difference of \$390.00 to be re-issued. (448.66-58.66=390.00) From: Nelson, Larry J - Eagan, MN Sent: Tuesday, December 20, 2016 2:11 PM To: Sullivan, Bill J - Eagan, MN Cc: Wenziker, Gordon - Carol Stream, IL Subject: FW: Former employee with Receivable and Outstanding Checks Bill...Please assist customer with stop pay and re-issue of USPS check? Thanks NELSON, LARRY J Callback Public Party

From: Reinsch, Larry R - Eagan, MN Sent: Wednesday, September 13, 2017 3:32 PM Richardson, Sundrea - Chicago, IL To: JP Morgan Subject: Huse https://ac.essportalipenorgan.com/absolutesatt//ang/VB5N201706093057/spub#/check; Home | ACCESS File Edit View Favorites Tools 🚵 🗸 Remedy - Incident Details 🗐 Internet Start ACCESS\* Search by account, beneficiary and more Searchit Checks Home Home Inquiry Stope Ecoons THECKINGTHEY Account 844016790-USPS PAYROLL V Posted To Posted From Status Inquiry Type Single () Range <u>ا</u>اً الله 11/16/2016 09/13/2017 issue Date Check/Serial Number x Amount(USD) \* Sequence Number x 58892000 Additional Data NOTE: For Inquiry Results greater than 250 items, only the first 250 items matching your inquiry will be returned. Print Issue Checki Amount Sequence Effective Date (USD) 🚓 🚁 Additional Info Sena# Number Date 12/28/2016 58692000° 448.66 5980848108 ٧. 2 58892000\* 448.66 12/21/2016 58892000\* 357.89 3. 8080110479 11/22/2016

From:

Reinsch, Larry R - Eagan, MN

Sent:

Wednesday, September 13, 2017 3:39 PM

To:

Richardson, Sundrea - Chicago, IL

Subject:

Bianca Williams





Wed Sep 13 1

## Eagan Payables Home

## Printable View

## Vendor Master

- View
- \* <u>Search</u>
- Countent

## Reporting

- Search Payments
- Accenved Payments
- Balch Balance
- Unpaid Death Youchers
- Search Seath Youchers
- Invalid Rodung

## View Payment

## **General Acct Payment Details**

## Back

Payee EIN: 04447015

Enter Date: 12/30/2016

Seq: 1

Enter Time: 13:53:10

Process Code: P

Entered by: KZWT92

Run Date: 12/30/2016

Updated by: AAG764

Process Date: 12/30/2016

Updated on: 01/31/2017 18:15:13

MO/FY: 03 2017

PP/CY: 01 2017

Form of Payment: C

Pull Check Ind: N

Flag 109

Name: BIANCA J WILLIAMS 5411 S WOOD ST

CHICAGO, IL 60609 -5715

Payment Type: General Acct
Payment Amt: \$ 390.00
Net Check: \$ 390.00

Finance Number: 104390

Dist Code: 100

Account: 23438

Sub Account: 000

## Remarks

## DEBIT MEMO INVOICE#2876380

THE ATTACHED CHECK REPRESENTS A REFUND OF AN ACCOUNTS RECEIVABLE

OVERPAYMENT.

BIANCA J WILLIAMS 04447015

## Payment information

Process Date: 12/30/2016

Check #: 0110247238

Check Date: 01/03/2017